

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MONTESSORI CHILDREN'S
HOUSE AND SCHOOL,

Plaintiff,

v.

PHILADELPHIA
INDEMNITY INSURANCE
COMPANY,

Defendant.

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Civil Action No. 3:21-CV-01984-X

**JOINT PROPOSAL FOR CONTENTS
OF SCHEDULING AND DISCOVERY ORDER**

Proposed Date to Complete Discovery	April 29, 2022
Proposed Trial Date, including the number of trial days and whether a jury has been demanded	September 12, 2022 Number of Trial Days: 3 days Plaintiff has demanded a jury trial
Proposed Motion Deadline	May 23, 2022
Proposed Deadline to file motions for leave to join other parties	November 30, 2021
Proposed Deadline to file motions for leave to amend the pleadings	November 30, 2021
Proposed Deadline to Designate Expert Witnesses (including rebuttal experts)	February 25, 2022 (Plaintiff's Deadline) March 25, 2022 (Defendant's Deadline)
Proposed Deadline to commence settlement negotiations	April 29, 2022

1. Status report explaining progress made at the meeting and present status of settlement negotiations: *The parties are not yet prepared to engage in settlement negotiations but will revisit the possibility following the exchange of written discovery.*

2. Advisability of referring the case for mediation: *The parties do not believe the case is ripe for mediation at this time, but will revisit the possibility following the exchange of written discovery.*
3. Do the parties consent to trial (jury or non-jury) before a United States Magistrate Judge?¹ *No.*
4. Proposed plan and schedule for discovery: *Discovery will focus on the claimed storm damage at issue, Philadelphia's handling of the claim, and the duties and rights of the parties to this litigation as set forth in the commercial property insurance at issue. The Parties anticipate needing about **seven** months for discovery.*
5. Proposed limitations on discovery, if any: *None.*
6. Other proposals regarding scheduling and discovery that the parties believe will facilitate expeditious and orderly preparation for trial, including the parties' positions on a consolidated discovery schedule: *None at this time.*
7. Are the parties considering mediation or arbitration to resolve this litigation, and if not, why not?² *Yes.*
8. Other matters relevant to the status and disposition of this case: *None at this time.*

¹ Before responding to this question, counsels are directed to carefully review the provisions of 28 U.S.C. § 636(c) and, specifically, section 636(c)(3).

² The Court encourages the early use of mediation or arbitration.

Respectfully submitted,

/s/ Stephen A. Melendi

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**ATTORNEYS FOR PLAINTIFF
MONTESSORI CHILDREN'S HOUSE
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CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will electronically send notification to all counsel of record.

/s/ Stephen A. Melendi

Stephen A. Melendi